



**US Army Corps
of Engineers**

Vicksburg District
4155 Clay Street
Vicksburg, MS 39183-3435



Public Notice

APPLICATION NO.:	JCB-200306430
EVALUATOR:	Ms. Joyce Butler
PHONE NO.:	(601) 631-5294
FAX NO.:	(601) 631-5459
E-MAIL:	regulatory@mvk02.usace.army.mil
DATE:	September 4, 2003
EXPIRATION DATE:	September 24, 2003

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Vicksburg District and the Mississippi Department of Environmental Quality are considering an application for a Department of the Army Permit and State Water Quality Certification for the work described herein. Comments should be forwarded to the Vicksburg District, ATTN: CEMVK-OD-F and the Mississippi Department of Environmental Quality at Post Office Box 10385, Jackson, MS 39289-0385, and must reach these offices by the cited expiration date.

Law Requiring a Permit: Section 404 of the Clean Water Act (33 U.S.C. 1344), which applies to discharges of dredged or fill material into waters of the United States.

Name of Applicant:

Mr. Bill Embry
4868 CR 215
Coffeeville, Mississippi 38922

Location of Work: Section 23, T25N-R7E, latitude 34°0'53.2529", longitude 89°32'2.2859", within the Yazoo River drainage basin, Yalobusha County, Mississippi.

Description of Work: (See enclosed map and drawings.)

The applicant is applying for a Department of the Army permit to construct a levee in wetlands and other waters of the United States. The purpose of the project would be for fish and wildlife habitat. The following descriptions of the proposed project and associated impacts are based upon information provided by the applicant.

The applicant would construct an earthen dam designed by the Natural Resources Conservation Service across an unnamed tributary to Hurricane Creek. The project site was farmed in the past and most recently has been used as a pasture. There are scattered saplings on the site consisting primarily of sweet gum, oaks, maple, pine, and dogwood. The dam would be approximately 500 feet long, with a 12-foot top width and maximum 18-foot height. A total of 2.9 acres of wetlands and other waters of the United States would be inundated for the pond, with an additional 0.9 acre filled for the footprint of the levee. An additional 8.3 acres of non-wetland would be incorporated into the pond. Water to fill the pond would come from the tributary to be filled, rainfall, and surface runoff.

Approximately 15,700 cubic yards of fill material for construction of the levee would be obtained from the non-wetland east side of the pond to form a gradual slope. The deepest water depth (12 feet) would be at the levee. The south end of the pond would be only a few inches deeper than the existing beaver pond. Some trees would have to be cleared from the east end of the levee for construction.

The placement of fill material in waters of the United States associated with the mechanized land clearing and levee construction requires a Department of the Army Permit.

Upon reviewing this notice, you should write to this office to provide your opinion of the impacts this work will have on the natural and human environment and address any mitigation you believe is necessary to offset these impacts. Other comments are welcome, but the above information will further our review of the applicant's plan as proposed. Comments of a general nature are not as helpful as those specific to the impacts of the subject project.

State Water Quality Permit: The State Pollution Control Agency must certify that the described work will comply with the State's water quality standards and effluent limitations before a Corps permit is issued.

Cultural Resources: An initial review indicates that the proposed project would not affect any of the sites in Yalobusha County listed in the National Register of Historic Places. Copies of this notice have been sent to the State Historic Preservation Officer, Federally Recognized Tribes, the Corps archaeologists, and other interested parties for comment on potential effects to cultural resources that could result from this activity.

Endangered Species: Our initial finding is that the proposed work would not affect any endangered species or their critical habitat. This proposal is being coordinated with the U.S. Fish and Wildlife Service, and any comments regarding endangered species or their critical habitat will be addressed in our evaluation of the described work.

Flood Plain: In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed development described in this public notice and apprise this office of any flood plain development permit requirements.

Evaluation Factors: The decision whether or not to issue a permit will be based upon an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits that may be expected to accrue from the proposal must be balanced against its expected adverse effects. All factors which may be relevant to the proposal will be considered; among these are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation, recreation, water supply, water quality, energy needs, safety, food requirements and, in general, the needs and welfare of the people. Evaluation of the proposed activity will include application of the guidelines published by the Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act.

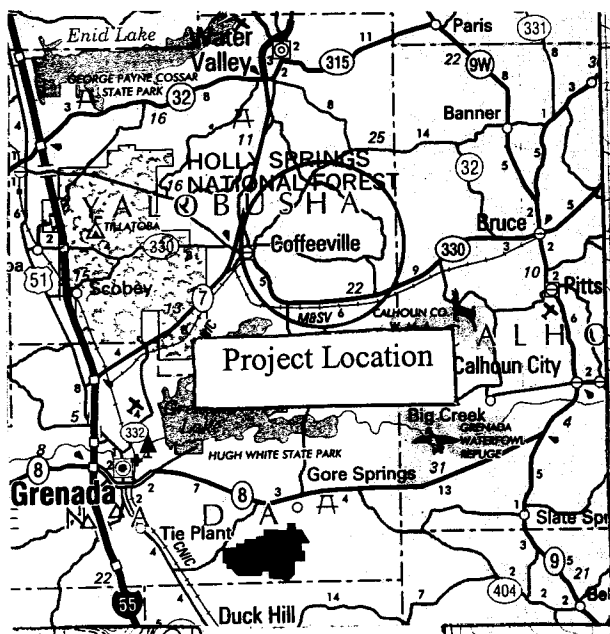
Public Involvement: The purpose of this notice is to solicit comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties. These comments will be used to evaluate the impacts of this project. All comments will be considered and used to help determine whether to issue the permit, deny the permit, or issue the permit with conditions, and to help us determine the amount and type of mitigation necessary. This information will be used in our Environmental Assessment or Impact Statement. Comments are also used to determine the need for a public hearing.

Opportunity for a Public Hearing: Any person may make a written request for a public hearing to consider this permit application. This request must be submitted by the public notice expiration date and must clearly state why a hearing is necessary. Failure of any agency or individual to comment on this notice will be

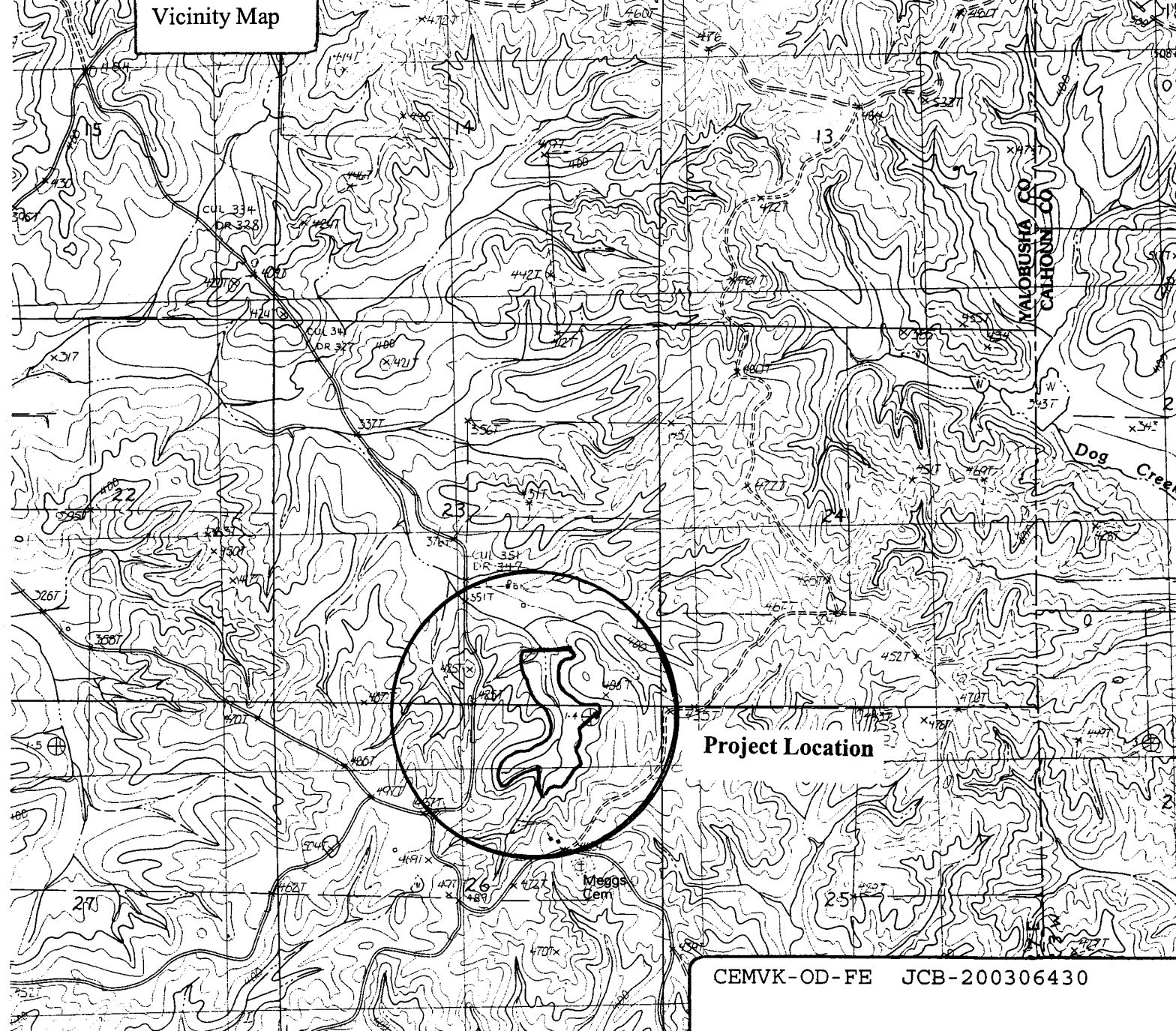
interpreted to mean that there is no objection to the proposed work. Please bring this announcement to the attention of anyone you know who might be interested in this matter.

Notification of Final Permit Actions: Each month, the final permit actions from the preceding month are published on the Vicksburg District Regulatory web page. To access this information, you may follow the link from the Regulatory web page, <http://www.mvk.usace.army.mil/offices/od/odf/main.asp>, or go directly to the Final Permit Actions web page at <http://www.mvk.usace.army.mil/offices/od/odf/PubNotice/MonthlyNotice/pnmain.asp>.

for Joyce Butler
W. Harold Lee
Team Leader
Evaluation Section



Vicinity Map



Project Location

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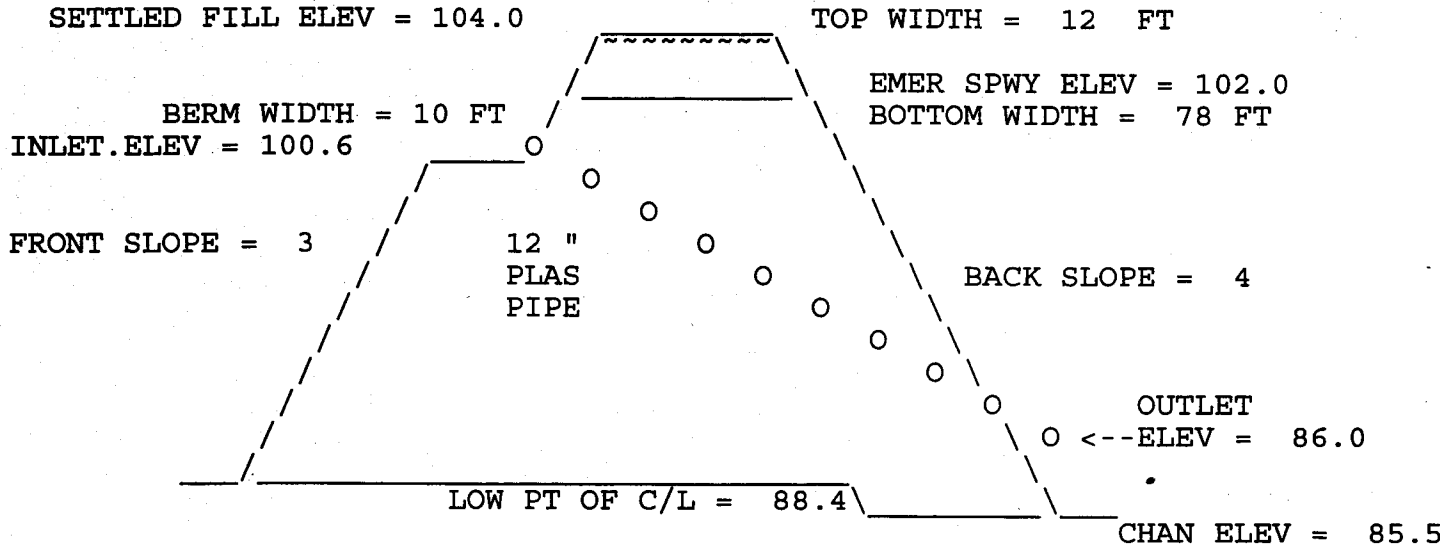
MR BILL EMBRY

85 32' 30"

290 000 FEET (EAST)

DESIGN ELEVATIONS

CONSTRUCTED FILL ELEV = 105.6
 % SETTLEMENT = 10.0%
 SETTLED FILL ELEV = 104.0



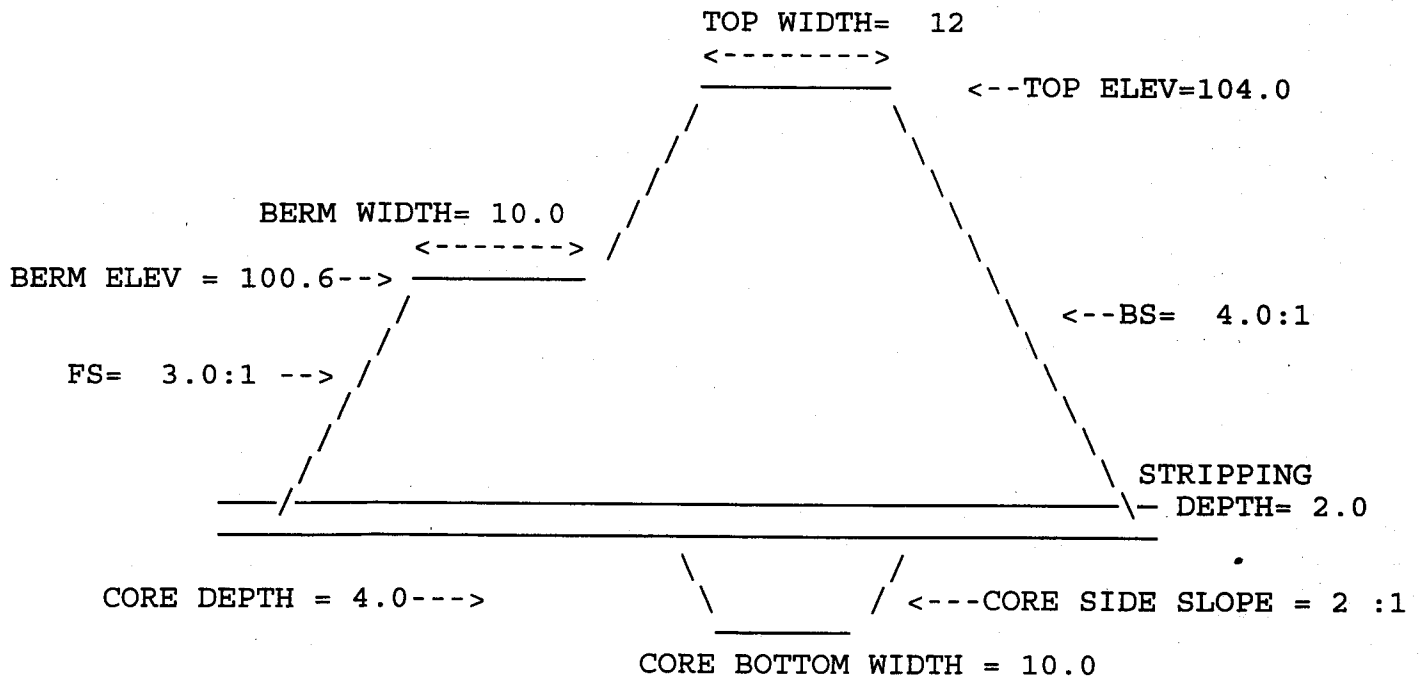
FINAL RESULTS

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*PIPE DIAMETER (IN)      *      12*
*PIPE MATERIAL           *      PLAS* PLASTIC PIPE
*PIPE LENGTH (FT)        *      110* PIPE EXTENDS 6 FT BEYOND DNSTR TOE
*PIPE SLOPE (%)          *      13.4*
*                         *      *
*CANOPY DIMENSIONS:      *      *
*      W (IN)            *      2.4*
*      L (IN)            *      9.6*
*RISER LENGTH (FT)       *      0.0* LENGTH =INLET EL-INVERT EL
*                         *      *
*STAGE of PS Q. CALC (FT) *      1.4*
*E.S. FLOW DEPTH (FT)    *      1.0* 'C' RETARDANCE
*MAX E.S. EXIT SLOPE     *      12%* MAX VEL = 6.5 fps
*MIN E.S. EXIT SLOPE     *      1%  *
*DRAWDOWN TIME (HRS)     *      20*
*DETENTION TIME (HRS)    *      19 * FLOW TIME, FOR SEDIMENTATION PONDS
*APPROX HEIGHT x STORAGE *      1112*
*EFFECTIVE HEIGHT (FT)   *      13.6* (E.S. ELEV - LOW PT ON C/L)
*OVERALL HEIGHT (FT)     *      18.5* (TOP SET FILL ELEV - CHAN ELEV)
*ENGR JOB CLASS          *      *
*HAZARD CLASS            *      a  *
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*EARTHFILL QUANTITIES:   *      *
*      MAIN FILL         *      15257 * BASED ON SETTLED FILL ELEVATIONS
*      STRIPPING         *      3918  *
*      CORE              *      507  * EXTENDS ALONG ENTIRE LENGTH OF FILL
*      TOTAL             *      19682 *
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EARTHFILL DIMENSIONS



GROUND PROFILE ALONG THE CENTERLINE OF FILL

STATION *****	ELEVATION *****
0	104.6
* 2	104.0
* 14	100.6
15	100.2
32	95.8
50	90.2
100	88.6
126	87.5
150	88.2
200	88.6
250	88.9
300	89.0
350	90.0
400	93.3
430	96.5
460	98.6
* 473	100.6
477	101.3
483	102.1
* 491	104.0
500	106.0

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MR BILL EMBRY